

Rec'd 1-1-78

THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC HEALTH
REGISTRY OF VITAL RECORDS AND STATISTICS

Clerk's Office:

The enclosed copy of an amended record is being returned to you for the following (See checked item below).

Item # _____ not completed.

A copy of the original record cannot be located. Please forward a duplicate and also return the corrected copy.

It does not show what written evidence was submitted to support the statement of the deponent.

date

To: Town Clerk

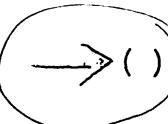
Dear Sir:

I hereby notify you that my mother and Father were married in _____ and that this marriage certificate is not available.

The items checked below show information which differs from that appearing on the enclosed copy of the record and our copy of the original record for which no evidence has been submitted. Please check and advise.

Signed
Name & Address

Notarized



To amend a surname or information regarding parent(s) a marriage record of the parents must be submitted.

Given Name (s) _____

Surname _____

Date of Birth _____

Father's Given Name _____

Father's Birthplace _____

Mother's (first) (maiden) Name _____

Mother's Birthplace _____

To make the submitted evidence accurate, the deponent will have to sign a statement that his parents were married in a foreign country and that copy of their marriage record is unobtainable. This method is according to the instruction given in the February, 1970 issue of the Public Recorder. If the parents were married in the U.S., then their marriage record will be necessary.

HERBERT E. RISER, JR.
REGISTRAR OF VITAL RECORDS AND STATISTICS

BY:

John Aldan

Mail Corrected Statement
Monday - Oct. 2, 1978.

SIS'S CORNER
VITAL RECORDS
727-2838

marriage intentions
Affidavit & Corrections

Can the Record Librarian sign in Item #15 on a legitimate birth?

Yes, (if they do not get the parent's signature before leaving the hospital) to ensure the birth is reported within the ten days required by statute. (Chapter 46, Section 3A.)

unseen
I have a twenty-three year old girl filing intentions. She has always used her stepfather's surname. Is this allowed?

Yes. There is an A. G.'s opinion which indicates a person may use any name they wish, provided there is no intent to defraud. Some Clerks put a notation in the left margin to clarify it as "Name commonly known by".

You returned four R-7's Affidavit and Corrections to remove the mother's occupation. I thought we had to complete every item.

If the birth occurred on or after January 1, 1969, you cannot complete "Color" or "Mother's occupation" as the law was changed, and it removed both of these items from the birth record.

Can the father's information be added to an "Imp" 1962 birth?

Yes, (There is no time limit.) if you have notarized paternity statements from both parents and both sign the form R-7

Is there a requirement that an unused marriage license be returned to the Town Clerk's Office from where it was issued?

Yes. Chapter 207, Section 28, last sentence: "If such certificate is not sooner used, it shall be returned to the office issuing it within sixty days after the date when notice of intention of marriage was filed".

Your Editor has suggested to Herb Risser that when new marriage licenses are printed that on the margin it contain the following: "If this license is not used by the expiration date, it must be returned to the City or Town Clerk where obtained".

Herb stated that he saw no reason why this could not be included.

HELEN L. THOMPSON, TOWN CLERK OF TOPSFIELD KEEPS FEES

HELEN L. THOMPSON, TOWN CLERK of TOPSFIELD (pop. 6,000) has informed your Editor that her town has adopted the new fee schedule and she keeps her fees. Only one person commented on the article to raise the fees, stating, "Well, we just gave you a nice raise".

She states that her problem is that two of the neighboring towns have not passed the new schedule.



*The Commonwealth of Massachusetts
Office of the Secretary
State House, Boston 02133*

*John F. W. Lawren
Secretary of the Commonwealth*

Clerk's Office:

In all cases where it is desired to add the given name or names to a record of birth by way of an Affidavit and Correction (our Form R-7), the clerk of the city or town must have written evidence (GEN. LAWS, CHAPTER 46, SECTION 13 as amended by Chapter 342 of the Acts of 1960) to support the addition such as:

1. Baptismal certificate, or
2. Early family bible (or like) record, or
3. First school record.

The clerk should always insist upon receiving that written evidence which is closest to the date of birth. Thus, a baptismal certificate, which is usually closest to the date of birth, is the best evidence. If the child was not baptized and there is no earlier record, such as a bible entry, we will accept the first school record.

We are returning the enclosed forms because the evidence is insufficient.

Very truly yours,

Edward C. Kloza

Edward C. Kloza
State Registrar of Vital Statistics

ECK/KVD
Encls.

FOLLOWING ARE THE TYPES OF WRITTEN EVIDENCE, WHICH ARE
SATISFACTORY TO MAKE CORRECTION OF CERTAIN ITEMS

ADDITION OF GIVEN NAME TO A RECORD OR
AMENDING GIVEN NAME ALREADY RECORDED.

One of the following:

Baptismal Certificate
Family bible entry.
School entrance or early school record
First census record after year of birth.
Other written evidence made at or near
time of birth.

SPELLING OF SURNAME

One of the following:

Parents' marriage record
Father's birth record
Port of entry or immigration records or other
official records if made prior to date of birth.

DATE OF BIRTH:

One of the following:

Doctors' Record
Hospital Record.

If birth did not occur in hospital, then a
baptismal or school entrance record.

COLOR.

Section 3 of Chapter 46, General Laws provides that the attending physician determines the color, therefore, only he may amend that item upon submitting his record to indicate that an error has been made on original report or by filing a sworn statement that he was in error when making the original determination or Court Order.

NOTE: Color cannot be amended through a verification form filed by the parents.

INFORMATION REGARDING PARENTS.

One of the following:

Marriage record of the parents
Birth record of parent about whom information is
being corrected

AMENDING RECORD BECAUSE OF ADOPTION

A certified copy of adoption decree. If signatures of adoptive parents appear on the decree the affidavit need not be filled out.

If the signatures of the adopting parents do not appear, the affidavit must be signed by deponent.

LEGAL CHANGE OF NAME

A record of an illegitimate birth only may be amended through a legal change of name decree and this type of correction applies only to the name of the child (Item #2). All other information remains as on the original.

FICTIONAL RECORD

Mother's affidavit that she gave false information. If she was married at time of birth but did not list husband as father, a certified copy of her marriage record with sworn statement that she was married at time of birth.

If divorced at time of birth certified copy of divorce decree, which must show that she was divorced at least nine months prior to birth of child.

If single at time of birth but married when correction is being made (this is evident by the difference in the last name of the child and the name of the mother when signing the deposition) a certified copy of her marriage record, which would indicate that it is her first marriage.

CLERICAL ERROR.

Return is made on a Form R-3 with notation "Clerical Error" over Item #1. No evidence is required as this indicates that the original report was correct but error was made in transcribing copy for this office.

SEX.

One of the following:

Hospital Record
Doctor's Record
Baptismal Record
Early School Record
Census Record

If person now married, copy of marriage record.

ILLEGITIMATE CHILD LEGITIMATIZED BY INTERMARRIAGE
OF NATURAL PARENTS

Original record may be amended upon following evidence, if the mother was single at the time of the birth:

IF BOTH PARENTS ARE LIVING:

1. Acknowledgment of paternity by the father or court adjudication
2. Copy of marriage record, if not on file in clerk's office.
3. Affidavits of both parents.

BY EITHER PARENT IF ONE IS DEAD:

1. Acknowledgment of paternity by the father
OR
Adjudication of paternity
2. Copy of marriage record, if not on file in clerk's office.
3. Death record of parent who is dead
4. Affidavit of living parent.
5. Court approval.

IF BOTH PARENTS ARE DEAD:

1. Affidavits of credible persons having knowledge of the facts.
2. Copy of marriage record, if not on file in clerk's office.
3. Copy of death record of each parent, if not on file in clerk's office.
4. Acknowledgment of paternity by father, or copy of adjudication.
5. Clerk must submit affidavits and evidence to Judge of Probate or Justice of District Court for his approval.

If recorded as the legitimate child of the mother and her husband but husband is not the father:

- (a) A sworn denial of paternity from the husband and an affidavit from both or a court adjudication and an affidavit from either. This correction removes the name of the husband from the record making it illegitimate.
- (b) If mother subsequently marries natural father, the above requirements must be filled.



The Commonwealth of Massachusetts
Office of the Secretary
State House, Boston 02133

PAUL GUZZI

Secretary of the Commonwealth

22 July 1975

MEMORANDUM

TO: ALL CITY AND TOWN CLERKS

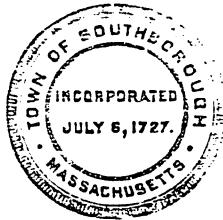
FROM: HERB RIBBER
ACTING REGISTRAR OF VITAL STATISTICS

SUBJ: CH. 497 OF THE ACTS OF 1975
INCREASING CERTAIN FEES

Chapter 497 of the Acts of 1975, which amends Section 34 of Chapter 262 of the General Laws, increased certain vital statistics fees listed below. This Act becomes effective on October 14, 1975. ✓

CH. 262 SEC. 34	CLAUSE #	DESCRIPTION	Fee
	11	Amending birth record after legitimization	\$2.00
	12	Correcting birth records	2.00
	13	Furnishing certificate of birth	2.00
	13A	Furnishing abstract copy of birth	1.00
	14	Entering delayed record of birth	2.00
	29	Correcting death records	2.00
	30	Furnishing certificate of death	2.00
	30A	Furnishing abstract copy of death	1.00
	44	Furnishing certificate of marriage	2.00
	44A	Furnishing abstract copy of marriage	1.00
	45	Correcting marriage records	2.00
	66	Examination of records - not less than	2.00
	67	Copying manuscript of record	2.00

For those of you effected by Section 76 of Chapter 46 of the General Laws, please note that no change has been made regarding this particular statute.



OFFICE OF THE
TOWN CLERK
SOUTHBOROUGH, MASSACHUSETTS 01772
485-2934

MON. TO FRI. 1:00 - 4:00
TUES. EVE. 7:30 - 8:00

January 19, 1976

Joseph Brusi
19 Thompson Street
Rockville, Connecticut 06066

Re; Birth Certificate, Joseph Brusi, February 21, 1911

Dear Mr. Brusi:

This office can only give you certified copies of your Birth Certificate as it is recorded in this office, which is: Joseph Brusi, February 21, 1911.

If you would like your birth certificate corrected you will have to have proof of the spelling of your last name, such as one of the following in the order in which they appear:

1. Your Father's Birth Certificate
2. Your Father's Passport
3. Your Certificate of Baptism,

or a Court Order.

When you have the proof required, you will have to file an "Affidavit and Correction of a Record of Birth" with this office.

If you have any questions please contact this office.

Paul J. Berry
Paul J. Berry, Town Clerk

PJB/ccm



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The Commonwealth of Massachusetts
Office of the Secretary
State House, Boston 02133

PAUL GUZZI

Secretary of the Commonwealth

MEMORANDUM

TO: ALL CITY AND TOWN CLERKS

FROM: HERB RISER

RE: REGIONAL SEMINAR MEETING

Primarily aimed for newly elected clerks, the enclosed guidelines for processing corrections and the establishing of a delayed return of birth should serve useful for all.

Also enclosed is a resume of forms with a brief description of each and an order blank. I suggest you review your inventory and order as necessary to be well stocked in various forms.

If at any time you have a legal or registration problem you'd like my advice upon, please don't hesitate to call. Either myself or my assistant, Mrs. Sis Bernatonis will be more than happy to help. You can reach us at (617)-727-2838 or 2839.

Judgement in place of (Decree)

Zero - Vital Statistics - attested & sealed,

ESTABLISHING A DELAYED
RETURN OF BIRTH RECORD
(G.L. CH. 46 SEC. 13A)

TO: ALL CITY & TOWN CLERKS

FROM: HERB RISER
ACTING REGISTRAR OF VITAL
STATISTICS

When establishing a delayed record of birth, it must be borne in mind that the resultant record will be only as good as the evidence upon which it was established.

To assure that the record is valid, the suggested documentary evidence which should be required to substantiate the affidavit is as follows:

If the birth occurred at home, it must first be established that the parents were residents of your city or town at the time of the birth. Evidence of that fact would be any of the following:

- a. Assessor's records
- b. Poll Tax records
- c. Voter's registration
- d. Street listing

Once this is established, then documentary evidence regarding the birth must be submitted and the usual proof would be one of the following:

- a. An early baptismal certificate or other church or synagogue record
- b. An early bible record
- c. A school entrance record
- d. A U.S. Census record (the first census taken after the birth)

If the birth occurred in a hospital, advise applicant to obtain a statement from the hospital certifying to the birth. This statement, signed and notarized by either the hospital administrator or record librarian, would constitute the required documentary evidence upon which the delayed record would be based.

Proof of residence would not be required in such cases as the parents do not in every instance reside in the city or town in which the hospital is located. The hospital statement referred to above should give address of parents at the time of the birth.

REQUIREMENTS FOR ESTABLISHING DELAYED RECORD OF BIRTH

If a person having sufficient evidence to establish a delayed record of birth has no one older than himself to file an affidavit, the record may be established under Section 13A of Chapter 46. In such an instance Item #21 on Form R-5 "Delayed Return of Birth" as well as the reverse side, should read "Chapter 46-Section 13A", and should include the name and address of the person establishing the record.

If the documentary evidence is not satisfactory, you may refuse to establish the record by noting on the Form R-5 "Insufficient Evidence" and advising the petitioner that, according to Chapter 46, Section 13A, he may petition the Probate Court of the county in which he alleges that he was born. You would be notified as to the date of the hearing so that you could attend to explain why the evidence was not satisfactory. After such hearing, if the court decided that the birth should be established, it would issue an order for you to do so.

In any event, whether the birth occurred at home or in a hospital, whether there is a deponent or not, an effort should be made to obtain a certified copy of the parents' marriage record, if one is available, so that the information regarding the parents would be substantiated.

5-22-75

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AMENDING A BIRTH RECORD
(G.L. CHAPTER 46 SECTION 13)

TO: ALL CITY & TOWN CLERKS
FROM: HERB RISER
ACTING REGISTRAR OF VITAL
STATISTICS

ADDITION OF GIVEN NAME TO A RECORD OR
AMENDING GIVEN NAME ALREADY RECORDED.

One of the following: (In Order of Preference)

Baptismal Certificate
Family Bible Entry
School Entrance or Early School Record
First Census Record after Year of Birth
Other Written Evidence made at or Near
Time of Birth

SPELLING OF SURNAME

One of the following:

Parents' marriage record
See February, 1970 "Public Recorder"
for Alternate Documentary Evidence

DATE OF BIRTH

One of the following:

Doctors' Record
Hospital Record

If birth did not occur in hospital, then
a baptismal or school entrance record.

COLOR

Section 3 of Chapter 46, General Laws provided that
the attending physician determine the color, therefore,
only he may amend that item upon submitting his
record to indicate that an error has been made on
original report or by filing a sworn statement that
he was in error when making the original determination
or Court Order.

INFORMATION REGARDING PARENTS

Marriage Record of the Parents
If Marriage not available, then Birth
Record of Appropriate Parent.

AMENDING RECORD BECAUSE OF ADOPTION

A certified copy of adoption decree. If signatures of adoptive parents appear on the decree the affidavit need not be filled out.

If the signatures of the adopting parents do not appear, the affidavit must be signed by deponent.

LEGAL CHANGE OF NAME

Only the record of an illegitimate birth may be amended through a legal change of name decree. This type of correction applies only to the name of the child (Item #2). All other information remains as is on the original. The birth record of a legitimate child cannot be amended following a legal change of name.

FICTITIOUS RECORD

Mother's affidavit that she gave false information. If she was married at time of birth but did not list husband as father, a certified copy of her marriage record with sworn statement that she was married at time of birth.

If divorced at time of birth certified copy of divorce decree, which must show that she was divorced at least nine months prior to birth of child.

If single at time of birth but married when correction is being made (this is evident by the difference in the last name of the child and the name of the mother when signing the deposition) a certified copy of her marriage record, which would indicate that it is her first marriage.

CLERICAL ERROR

Return is made on the old Form R-3 with notation "Clerical Error" in left-hand margin. No evidence is required as this indicates that the original report was correct but error was made in transcribing copy for this office. This procedure is used only prior to 1969. Depositions are necessary in all circumstances starting with 1969 births.

SEX

One of the following:

Hospital Record
Doctor's Record
Baptismal Record
Early School Record
Census Record
If person now married, copy of marriage record.

ILLEGITIMATE CHILD LEGITIMATIZED BY INTERMARRIAGE
OF NATURAL PARENTS

Original record may be amended upon following evidence, if the mother was single at the time of the birth:

IF BOTH PARENTS ARE LIVING

1. Acknowledgement of paternity by the father or court adjudication.
2. Copy of marriage record, if not on file in clerk's office.
3. Affidavits of both parents.

BY EITHER PARENT IF ONE IS DEAD

1. Acknowledgement of paternity by the father
OR
Adjudication of paternity
2. Copy of marriage record, if not on file in clerk's office.
3. Death record of parent who is dead
4. Affidavit of living parent
5. Court approval.

IF BOTH PARENTS ARE DEAD

1. Affidavits of credible persons having knowledge of the facts.
2. Copy of marriage record, if not on file in clerk's office.
3. Copy of death record of each parent, if not on file in clerk's office.
4. Acknowledgement of paternity by father, or copy of adjudication.
5. Clerk must submit affidavits and evidence to Judge of Probate or Justice of District Court for his approval.

If recorded as the legitimate child of the mother and her husband but husband is not the father:

- (a) A sworn denial of paternity from the husband and an affidavit from both or a court adjudication and an affidavit from either. This correction removes the name of the husband from the record making it illegitimate.
- (b) If mother subsequently marries natural father, the above requirements must be filled.



The Commonwealth of Massachusetts

PAUL GUZZI

SECRETARY OF THE COMMONWEALTH
DIVISION OF VITAL STATISTICS
BOSTON
RESUME OF FORMS

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To City and Town Clerks:

For your convenience I submit the following resume of the forms provided under the provisions of General Laws, Chapter 46, Section 16, for the registration and returns of births, marriages and deaths.

BIRTH RETURNS

R-3 (White) All births occurring in your city or town regardless of residence of parents.
R-3S (White) Supplemental Report for addition of given name used only when not reported on original return.
R-4 (Yellow) Record of birth occurring outside Commonwealth to residents of your city or town established under Chapter 46 - Section 1-B.
R-5 (White) Delayed return of births.
R-6 (Tinted) Births of children born to residents of your city or town, the birth occurring outside the city or town. For making returns of births of children born in your town when the parents resided in another town, to the clerk or place of residence, and to the state secretary if the birth occurred outside the state. (Chapter 46 - Section 12)
R-7 (White) Affidavit and correction of a record of birth.
R-8 (Tinted) Copy of affidavit and correction of a record of birth. For making copy of form R-7 to be sent to the city or town clerk of the place of residence of the parents at the time of birth, if a copy of the original record had been so sent.
R-9 (Tinted) Copy of delayed return of birth. For making copy of legitimate record of birth established in your town, to be sent to city or town clerk of the place of residence of the parents at the time of birth.
R-325A Monthly card for reporting no births.
R-327 (Pink) For numbers assigned to pink birth certificates not sent to Secretary's office.

MARRIAGE RETURNS

R-101 (White) For all marriages solemnized and for making returns to this office of certain marriages:
1. When bride filed her intentions in your town.
2. When groom filed his intentions in your town and bride was from out of state.
3. When bride and groom filed intentions in your town, and both were from out of state.
R-102 (Tinted) For a marriage of a resident of your city or town solemnized outside the Commonwealth. (Chapter 46 - Section 12)
R-103 (White) For the use of the person officiating when the parties to the marriage are not residents of the city or town in which the marriage is solemnized, in transmitting copy of record of marriage to clerk of city or town in which the marriage occurred.
R-104 (White) Affidavit and correction of a record of marriage.
R-105 (White) Notice of Intention of Marriage.
R-106 (White) Delayed Return of Marriage.
R-107 (Yellow) Record of marriage outside of Commonwealth established under Chapter 207 - Section 36.
R-325B Monthly card for reporting no marriages.
R-328 (Green) For numbers assigned to marriage certificates not sent to Secretary's office.
R-329 (White) For returns of intentions of Marriage filed, and licenses issued, to be made on or before March 1st of each year.

DEATH RETURNS

R-301 (White) All deaths occurring in your city or town regardless of residence of deceased (except Medical Examiner's cases); also to be filed for burial permit with Board of Health.
R-302 (Tinted) All deaths of residents of your city or town dying elsewhere (except in deaths investigated by the Medical Examiner). For making returns to the clerk of the place of residence of the deceased and to the state secretary if the death occurred outside the state. (Chapter 46 - Section 12)
R-303 (White) Medical Examiners' certificates of death occurring in your city or town; also to be filed for burial permit with Board of Health.
R-304 (White) Fetal death certificate. To be filed for burial permit with the Board of Health, and for copy to be forwarded to the Office of the Secretary. This certificate NOT to be transmitted to any other city or town.
R-305 (Tinted) Medical Examiners' certificates of death of residents of your city or town dying elsewhere. For making returns to the clerk of the place of residence of the deceased and to the state secretary if the death occurred outside the state. (Chapter 46 - Section 12)
R-306 (White) Affidavit and correction of record of death.
R-307 Delayed return of death.
R-308 (Yellow) Record of death outside of Commonwealth established under Chapter 46 - Section 1-C.
R-309 (White) Official burial or removal permit.
R-309A Copy of official removal permit. Copy of the burial permit for persons buried in your town who died outside the Commonwealth.
R-325C Monthly card for reporting no deaths.
R-326 (Yellow) For numbers assigned to pink death certificates not sent to Secretary's office.

MISCELLANEOUS

R-322 Return envelope for certificates for monthly returns of births, marriages and deaths.
R-501 Requisition for blanks.

Paul Guzzi
PAUL GUZZI
Secretary of the Commonwealth

The Commonwealth of Massachusetts

Secretary of the Commonwealth

REQUISITION FOR BLANKS

Note: City and town clerks should always keep a few copies of this blank (R-501) on hand. Fill out and send in, with your monthly returns of deaths (on or before the 10th), at least a month before your supply is likely to be exhausted. Keep well equipped with all necessary blanks for your own use and so that you can supply physicians, parents, householders, undertakers and clergymen promptly and freely.

Secretary of the Commonwealth:

Please supply blanks indicated below:

DESCRIPTION	Number needed
(White) All births occurring in your city or town regardless of residence of parents	R-3
(White) Supplemental form for addition of given name	R-3S
(Yellow) Record of birth outside of Commonwealth established under Chapter 46 — Section 1-B	R-4
(White) Delayed return of births	R-5
(Tinted) Returns of children born to residents of your city or town, the birth occurring outside of state. (Chapter 46 — Section 12)	R-6
(White) Affidavit and correction of a record of birth	R-7
(Tinted) Copy of affidavit and correction of a record of birth	R-8
(Tinted) Copy of delayed certificate of birth	R-9
Legal Impediments to Marriage	R-100
(White) For all marriages solemnized in the commonwealth	R-101
(Tinted) For marriages of residents of your city or town solemnized outside the commonwealth. (Chapter 46 — Section 12)	R-102
(White) For the use of the person officiating when the parties to the marriage are not residents of the city or town in which the marriage is solemnized in transmitting copy of record of marriage to clerk of city or town in which the marriage occurred	R-103
(White) Affidavit and correction of a record of marriage	R-104
(White) Notice of Intention of Marriage	R-105
(White) Delayed return of Marriage	R-106
(Yellow) Record of marriage outside of commonwealth established under Chapter 207 — Section 36.	R-107
(White) All deaths occurring in your city or town regardless of residence of deceased (except Medical Examiners cases); also to be filed for burial permit with Board of Health	R-301
(Tinted) All deaths of residents of your city or town dying elsewhere (Except in deaths investigated by the Medical Examiner)	R-302
(White) Medical Examiners' certificates of deaths occurring in your city or town; also to be filed for burial permit with Board of Health	R-303
(White) Fetal death certificate (STILLBORN)	R-304
(Tinted) Medical Examiners' certificates of deaths of residents of your city or town dying elsewhere	R-305
(White) Affidavit and correction of record of death	R-306
(White) Delayed return of death	R-307
(Yellow) Record of death outside of commonwealth established under Chapter 46 — Section 1-C.	R-308
(White) Official burial or removal permit	R-309
Copy of Official Removal Permit Agents Board of Health	R-309A
Return envelope for certificates for monthly returns	R-322
Monthly card for reporting no births	R-325A
Monthly card for reporting no marriages	R-325B
Monthly card for reporting no deaths	R-325C
(Yellow) For numbers assigned to pink death certificates not sent to Secretary's office	R-326
(Pink) For numbers assigned to pink birth certificates not sent to Secretary's office	R-327
(Green) For numbers assigned to marriage certificates not sent to Secretary's office	R-328
(White) For ANNUAL return of Intentions of Marriage filed and licenses issued, etc.	R-329
Requisition for blanks	R-501

(Signed).....

(City or town clerk)

P.O. Address.....